

Passed 1st Chamber

Add Bills	Edit Bill Positions/Priority/Notes
Remove Bills	Remove Dead Bills

Click on a Bill Number for Bill Information.

Select All / Select None

Bill		Priority	Position	Notes
<input type="checkbox"/> HB1074	Disarming a law enforcement officer.	No	O	
<input type="checkbox"/> HB1122	Juvenile offenders and detention facilities.	No	S	
<input type="checkbox"/> HB1134	Sex offenders.	No	O	
<input type="checkbox"/> HB1209	Review of sentences of certain habitual offenders.	No	S	
<input type="checkbox"/> HB1232	Criminal history checks.	No	S	
<input type="checkbox"/> HB1259	Child safety and CHINS.	No		
<input type="checkbox"/> HB1271	Inmate credit time.	No	S&O	
<input type="checkbox"/> HB1276	Bail.	No		
<input type="checkbox"/> HB1329	Sex offenses and children.	No	O	
<input type="checkbox"/> SB0004	Reduction of credit time for sex offenders.	No	O	
<input type="checkbox"/> SB0010	Inmate fraud.	No	O	
<input type="checkbox"/> SB0027	Cooling off period for domestic battery.	No	O	
<input type="checkbox"/> SB0084	Sex offender notification.	No	O	
<input type="checkbox"/> SB0086	Sex and violent offender registry.	No	S	
<input type="checkbox"/> SB0090	Operating while intoxicated offenses and procedures.	No	O	
<input type="checkbox"/> SB0105	Paternity and child support.	No		
<input type="checkbox"/> SB0130	Conversion by failure to return rented property.	No	O	
<input type="checkbox"/> SB0139	Violation of probation and home detention.	No	S	
<input type="checkbox"/> SB0171	Crimes against persons with a disability.	No	O	
<input type="checkbox"/> SB0180	Child abduction and seduction.	No	O	
<input type="checkbox"/> SB0184	Use of DNA evidence.	No	O	
<input type="checkbox"/> SB0199	Environmental crimes.	No	O	
<input type="checkbox"/> SB0258	Discharge of long term inmates.	No		
<input type="checkbox"/> SB0304	Arrest records.	No	S	
<input type="checkbox"/> SB0317	Bail.	No	O	
<input type="checkbox"/> SB0335	Illegal alien matters.	No	O	

Bill Track Name:

Passed 1st Chamber

Bill Track Description:

[Edit this Information](#)

Bill Track Reports

- ☐ [Priority Bills Only](#)
- ☐ [Exclude Priority Bills](#)
- ☐ [Bills Still Alive Only](#)
- ☐ [Substantive Actions Only](#)
- ☐ [Include Notes on Report](#)

Report:

Last Action

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Quick Add:

[Quick Add](#)

- To quickly add multiple bills, type the bill numbers separated by commas.
- To add a range of bill number, separate the starting and ending bill numbers by a dash
 - Example: 1001,1010-1012,28,40-45,132
- If adding resolutions the SCR, SJR, SR, HCR, HJR or HR prefix followed by the 4 digit number.
 - Example: SJR0006, HCR0020, SR0030.
- If adding bills vetoed in last session use ATA prefix followed by the 4 digit number.
 - Example: ATA0337, ATA1525.

Bill Track - Bill History Report

Passed 1st Chamber

Run Time: Friday, Feb-15-2008, 09:11 AM

HB1074 *Disarming a law enforcement officer.* (Day, Charbonneau)
Position: O

Digest

Makes it a Class C felony if a person knows that another person is a law enforcement officer or corrections officer and the person knowingly or intentionally takes or attempts to take a firearm or weapon from the officer or from the immediate proximity of the officer without the consent of the officer and while the officer is engaged in the performance of his or her official duties. Enhances this crime to a Class B felony if the officer is injured and a Class A felony if the officer dies or if the officer is injured and a firearm was taken. Allows a court to suspend only that part of a sentence that is in excess of the minimum sentence imposed on a person convicted of disarming a law enforcement officer. Requires a prosecuting attorney to seek a sentence of death against a person who: (1) kills a law enforcement officer acting in the line of duty; or (2) whose murder was motivated by an act the law enforcement officer performed in the line of duty. Provides that, in the trial of a person charged with killing a law enforcement officer in the line of duty or in retaliation for an official act of the law enforcement officer, a jury must recommend either a sentence of death or a sentence of life without parole if it finds that the state has proved that the defendant killed a law enforcement officer in the line of duty or in retaliation for an official act of the law enforcement officer. Makes conforming amendments.

Date	Action
01/08/2008	H: Author Added John Day
01/08/2008	H: Co Author Added Linda Lawson
01/08/2008	H: 1st Reading Assigned Judiciary
01/15/2008	H: Committee Sched 8:30 AM Room 156D Judiciary
01/15/2008	H: Co Author Added Phillip D. Hinkle
01/15/2008	H: Committee Action Pass Amend(9-0) Judiciary
01/17/2008	H: Co Author Added Shelli VanDenburgh
01/22/2008	H: Committee Report amend do pass, adopted
01/24/2008	H: 2nd Reading Amended Order Engrossed
01/24/2008	H: Amendment #1 (Walorski), prevailed;
01/28/2008	H: 3rd Reading Pass (89-1)
01/28/2008	H: Sponsor Added Edward E. Charbonneau
01/28/2008	H: 2nd Sponsor Added Jim Arnold
01/29/2008	S: 1st Reading Assigned Corrections, Criminal, and Civil Matters
02/19/2008	S: Committee Sched 9:00 AM Room 130 Corrections, Criminal, and Civil Matters

HB1122 *Juvenile offenders and detention facilities.* (Reske, Bray)
Position: S

Digest

Provides that the juvenile law does not apply to a child who: (1) is alleged to have committed a crime that would be a felony if committed by an adult; and (2) has previously been waived to a court having felony jurisdiction. (Under current law, the juvenile law does not apply to felonies and misdemeanors committed under these circumstances.) Provides that the juvenile law applies to a child who allegedly committed a violation of traffic law. Provides that a juvenile court does not have jurisdiction over an alleged violation of a child charged with carrying a handgun without a license or dangerous possession of

a firearm as a felony (rather than a felony or misdemeanor), or if the child has a prior unrelated conviction or adjudication. Provides that a juvenile court may waive jurisdiction if a child is charged with certain acts that are felonies (rather than felonies and misdemeanors). Provides that any facility that is used or has been used to house or hold juveniles shall give the Indiana criminal justice institute access to inspect and monitor the facility.

Date	Action	
01/08/2008	H: Author	Added <u>Scott Reske</u>
01/08/2008	H: 1st Reading	Assigned <u>Judiciary</u>
01/15/2008	H: Committee Sched	8:30 AM Room 156D <u>Judiciary</u>
01/15/2008	H: Committee Action	<u>Pass Amend(9-0)</u> <u>Judiciary</u>
01/16/2008	H: Committee Report	amend do pass, adopted
01/17/2008	H: Co Author	Added <u>Terri Jo Austin</u>
01/24/2008	H: 2nd Reading	Amended Order Engrossed
01/24/2008	H: Amendment	#2 (Reske), prevailed; Voice Vote
01/28/2008	H: 3rd Reading	<u>Pass (91-0)</u>
01/28/2008	H: Sponsor	Added <u>Richard D. Bray</u>
01/29/2008	S: 1st Reading	Assigned <u>Judiciary</u>
02/06/2008	S: Committee Sched	10:00 AM Room 431 <u>Judiciary</u>
02/13/2008	S: Committee Sched	9:00 AM Room 431 <u>Judiciary</u>
02/13/2008	S: Committee Action	<u>Pass Amend(6-0)</u> <u>Judiciary</u>
02/14/2008	S: Committee Report	amend do pass, adopted
02/14/2008	S: Co Sponsor	Added <u>Tim Lanane</u>

HB1134 Sex offenders. (VanDenburgh, Steele)
Position: O

Digest

Requires a sex or violent offender to report the offender's electronic mail address and certain Internet usernames. Requires a sex or violent offender to sign a consent form authorizing the: (1) search of the sex or violent offender's computer or device with Internet capability, at any time; and (2) installation on the sex or violent offender's computer or device with Internet capability, at the sex or violent offender's expense, of hardware or software to monitor the sex or violent offender's Internet usage Specifies the court in which a petition must be filed to remove the designation as a sexually violent predator or an offender against children, and provides that the petitioner has the burden of proving that the designation should be removed. Increases the penalty for child molesting to a Class B felony if the child is compelled to submit to the fondling or touching by force or the threat of force. Provides that, as a condition of probation, a sex offender who is an offender against children and is convicted of certain crimes (sex offender) shall be prohibited from being on the property of a primary or secondary school. Provides, however, that: (1) if the sex offender attends a primary or secondary school, the sex offender shall be prohibited from being on the property of a primary or secondary school other than the school that the sex offender attends; and (2) if the sex offender is a parent or guardian of a child who attends a primary or secondary school, the sex offender shall be required to notify the school (and if the school is a public school, the school corporation) in writing that the sex offender is an offender against children and shall be prohibited from being on the property of the school that the child attends unless the sex offender is attending a meeting with a teacher or school administrator and is escorted by an employee of the school or school district while on school property. Makes it a sex offender residency offense, a Class D felony, for a person to knowingly or intentionally reside within 1,000 feet of a charter school or a child care center, child care home, or child care ministry. Specifies that, for purposes of probation and the commission of a sex offender residency offense, the distance between the residence of the sex offender and another piece of property is measured from the property line of the sex offender's residence to the property line of other piece of property. Makes it a Class D felony for a sex offender to use a social networking Internet

web site or an instant messaging or chat room program that the offender knows is frequented by children and if the offender contacts a child or a person the offender believes is a child through the website or program.

Date	Action
01/08/2008	H: Author Added <u>Shelli VanDenburgh</u>
01/08/2008	H: Co Author Added <u>Linda Lawson</u>
01/08/2008	H: 1st Reading Assigned <u>Judiciary</u>
01/22/2008	H: Committee Sched 8:30 AM Room 156D <u>Judiciary</u>
01/22/2008	H: Committee Action <u>Pass Amend(7-0) Judiciary</u>
01/24/2008	H: Committee Report amend do pass, adopted
01/29/2008	H: Co Author Added <u>Kathy Kreag Richardson</u>
01/29/2008	H: Co Author Added <u>Greg Steuerwald</u>
01/29/2008	H: 2nd Reading Amended Order Engrossed
01/29/2008	H: Amendment #3 (VanDenburgh), prevailed; Voice Vote
01/29/2008	H: Amendment #1 (Buell), prevailed; Voice Vote
01/30/2008	H: 3rd Reading <u>Pass (90-0)</u>
01/30/2008	H: Sponsor Added <u>Brent Steele</u>
01/30/2008	H: 2nd Sponsor Added <u>Tim Lanane</u>
02/05/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>
02/19/2008	S: Committee Sched 9:00 AM Room 130 <u>Corrections, Criminal, and Civil Matters</u>

HB1209 Review of sentences of certain habitual offenders. (V. Smith, Waterman)
Position: S

Digest

Allows a person: (1) convicted of certain felonies involving controlled substances; and (2) sentenced as a habitual offender; to petition the sentencing court to vacate any additional fixed term of imprisonment added to the person's sentence because the person was found to be a habitual offender. Requires the court to order the department of correction (department) to determine the person's new expected release date if the court vacates an additional fixed term of imprisonment added to the person's sentence. Requires the department to release the person if the department determines that the person's release date occurred before the date the court vacated the person's sentence. Prohibits a person from bringing an action against the state or an employee of the state if the department determines that the person's release date occurred before the date the court vacated the person's sentence.

Date	Action
01/14/2008	H: Author Added <u>Vernon G. Smith</u>
01/14/2008	H: 1st Reading Assigned <u>Judiciary</u>
01/22/2008	H: Committee Sched 8:30 AM Room 156D <u>Judiciary</u>
01/22/2008	H: Committee Action <u>Pass Amend(6-1) Judiciary</u>
01/24/2008	H: Committee Report amend do pass, adopted
01/28/2008	H: 2nd Reading Amended Order Engrossed
01/28/2008	H: Amendment #1 (Ulmer), prevailed;
01/29/2008	H: 3rd Reading <u>Pass (86-9)</u>
01/29/2008	H: Sponsor Added <u>John M. Waterman</u>
01/29/2008	H: 2nd Sponsor Added <u>Gary Dillon</u>
01/29/2008	H: Co Sponsor Added <u>Samuel Smith</u>
01/29/2008	H: Co Sponsor Added <u>Karen Tallian</u>
02/04/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>

HB1232 Criminal history checks. (Hoy, Bray)
Position: S

Digest

Exempts a postsecondary educational institution from paying a fee for a limited criminal history record of a student in the institution's school of education before the student begins the student's field or classroom experience. Requires an expanded criminal history background check for a person seeking to obtain or renew a teaching license or certificate.

Date	Action
01/14/2008	H: Author Added <u>George Philip Hoy</u>
01/14/2008	H: Co Author Added <u>Eric Koch</u>
01/14/2008	H: 1st Reading Assigned <u>Courts and Criminal Code</u>
01/16/2008	H: Committee Sched Upon Adjournment Room 156C <u>Courts and Criminal Code</u>
01/16/2008	H: Committee Action <u>Pass(10-0) Courts and Criminal Code</u>
01/17/2008	H: Committee Report do pass, adopted
01/17/2008	H: Co Author Added <u>Thomas D. Knollman</u>
01/22/2008	H: 2nd Reading Order Engrossed
01/22/2008	H: Co Author Added <u>Robert J. Bischoff</u>
01/24/2008	H: 3rd Reading <u>Pass (86-0)</u>
01/25/2008	H: Sponsor Added <u>Richard D. Bray</u>
01/29/2008	S: 1st Reading Assigned <u>Education and Career Development</u>
02/06/2008	S: Committee Sched 1:30 PM Room 431 <u>Education and Career Development</u>
02/20/2008	S: Committee Sched 2:00 PM Room 431 <u>Education and Career Development</u>

HB1259 *Child safety and CHINS.* (VanDenburgh, Becker)

Digest

Requires the fire building and safety commission to adopt rules requiring certain above ground swimming pools to have an access ladder or steps that may be: (1) secured and locked; or (2) removed. Requires the department of child services to provide notice to certain individuals seven days before a periodic case review for a child in need of services. (Current law requires the department to send notice ten days before the periodic case review.)

Date	Action
01/14/2008	H: Author Added <u>Shelli VanDenburgh</u>
01/14/2008	H: 1st Reading referred to Committee on Family, Children and Human Affairs
01/16/2008	H: Committee Sched 10:30 AM Room 156A <u>Family, Children, and Human Affairs</u>
01/23/2008	H: Committee Sched 10:30 AM Room 156A <u>Family, Children, and Human Affairs</u>
01/24/2008	H: Committee Report amend do pass, adopted
01/24/2008	H: Committee Action <u>Pass Amend(9-0) Family, Children, and Human Affairs</u>
01/28/2008	H: 2nd Reading Order Engrossed
01/29/2008	H: 3rd Reading <u>Pass (95-0)</u>
01/29/2008	H: Sponsor Added <u>Vaneta Becker</u>
01/29/2008	H: 2nd Sponsor Added <u>Jean Breaux</u>
01/29/2008	H: Co Sponsor Added <u>Glenn L. Howard</u>
02/04/2008	S: 1st Reading Assigned <u>Judiciary</u>
02/13/2008	S: Committee Sched 9:00 AM Room 431 <u>Judiciary</u>
02/13/2008	S: Committee Action <u>Pass Amend(6-0) Judiciary</u>
02/14/2008	S: Committee Report amend do pass, adopted

HB1271 *Inmate credit time.* (Stemler, Sipes)

Position: S&O

Digest

Prohibits an offender from earning credit time for a high school diploma if the offender has previously obtained a general educational development (GED) diploma. Prohibits an offender from earning credit

time for a GED diploma if the offender has previously obtained a high school diploma. Specifies that offenders in credit class I earn one day of credit time for each six days of incarceration, and that offenders in credit class II earn one day of credit time for each 12 days of incarceration. (Current law provides that offenders in credit class I earn one day of credit for each day of incarceration, while offenders in credit class II earn one day of credit for every two days of incarceration).

Date	Action
01/15/2008	H: Author Added <u>Steven R. Stemler</u>
01/15/2008	H: 1st Reading Assigned <u>Judiciary</u>
01/22/2008	H: Committee Sched 8:30 AM Room 156D <u>Judiciary</u>
01/22/2008	H: Committee Report do pass, adopted
01/22/2008	H: Committee Action <u>Pass(8-0) Judiciary</u>
01/28/2008	H: 2nd Reading Amended Order Engrossed
01/28/2008	H: Amendment #1 (Stutzman), prevailed;
01/28/2008	H: Co Author Added <u>Terry A. Goodin</u>
01/29/2008	H: 3rd Reading <u>Pass (84-10)</u>
01/29/2008	H: Sponsor Added <u>Connie W. Sipes</u>
02/04/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>
02/12/2008	S: 2nd Sponsor Added <u>Brent Steele</u>
02/19/2008	S: Committee Sched 9:00 AM Room 130 <u>Corrections, Criminal, and Civil Matters</u>

HB1276 Bail. (Pflum, Paul)

Digest

Defines "sexually violent predator defendant" as a person charged with the commission of a sex or violent offense who is a sexually violent predator. Allows a sexually violent predator defendant to be released on bail only after a hearing in open court, and requires a court releasing a sexually violent predator defendant on bail to consider whether certain statutory factors warrant exceeding applicable court or county bail guidelines.

Date	Action
01/15/2008	H: Author Added <u>Phillip Pflum</u>
01/15/2008	H: 1st Reading Assigned <u>Judiciary</u>
01/22/2008	H: Committee Sched 8:30 AM Room 156D <u>Judiciary</u>
01/22/2008	H: Co Author Added <u>Thomas E. Saunders</u>
01/22/2008	H: Committee Action <u>Pass(7-0) Judiciary</u>
01/24/2008	H: Committee Report do pass, adopted
01/28/2008	H: 2nd Reading Order Engrossed
01/30/2008	H: 3rd Reading <u>Pass (95-0)</u>
01/30/2008	H: Sponsor Added <u>Allen E. Paul</u>
01/30/2008	H: 2nd Sponsor Added <u>Vi Simpson</u>
01/30/2008	H: Co Author Added <u>Eric Koch</u>
02/05/2008	S: 1st Reading Assigned <u>Judiciary</u>

HB1329 Sex offenses and children. (Reske, Wyss) Position: O

Digest

Provides that, as a condition of probation or parole, a sex offender: (1) must consent to the search of the sex offender's computer at any time; (2) must permit installation on the sex offender's computer or device with Internet capability of hardware or software to monitor the sex offender's Internet usage; (3) may be prohibited by a probation or parole officer from using or accessing certain web sites, chat rooms, or instant messaging programs; and (4) may not delete, erase, or tamper with information on the sex offender's computer that relates to Internet usage. Requires a school corporation to include a mandatory

instructional unit on safely using the Internet for grades 3 and above. Makes it a Class A misdemeanor for a person at least 21 years of age to propose a face to face meeting with a child less than 14 years of age by computer network or cellular telephone text message if the communication between the parties involves a reference to sexual activity, and enhances the crime to a Class D felony for a second or subsequent offense. Specifically provides that law enforcement officials may seize computers and other equipment used to commit or facilitate sex crimes. Provides that a person who knowingly or intentionally: (1) photographs a person who is in a state of nudity and is in an area in which a person would reasonably be expected to disrobe; and (2) fails to destroy the image that was photographed, shows the image to another person, publishes the image, or makes the image available on the Internet, after the person who was photographed asks the person to destroy or not show the image, commits photographic voyeurism, a Class A misdemeanor. Prohibits an offender against children from entering or loitering within 1,000 feet of school property, a youth program center, or a public park if the offender knows that children are present. Provides a defense if the offender enters the school property, youth program center, or public park to vote, or if the offender enters a school to attend a meeting with school personnel concerning the offender's child and the offender: (1) has notified the school that the person is an offender against children; and (2) is accompanied by a school employee to and from the meeting.

Date	Action
01/15/2008	H: Author Added Scott Reske
01/15/2008	H: 1st Reading Assigned Judiciary
01/16/2008	H: Reassign Reassigned to the Committee on Technology, Research and Development
01/17/2008	H: Co Author Added Michael B. Murphy
01/22/2008	H: Committee Sched 10:30 AM Room 156B Technology, Research, and Development
01/22/2008	H: Committee Report amend do pass, adopted
01/22/2008	H: Co Author Added Eric Koch
01/22/2008	H: Co Author Added George Philip Hoy
01/22/2008	H: Committee Action Pass Amend(10-0) Technology, Research, and Development
01/28/2008	H: 2nd Reading Amended Order Engrossed
01/28/2008	H: Amendment #1 (Reske), prevailed; Voice Vote
01/28/2008	H: Amendment #4 (Turner), ruled out of order
01/28/2008	H: Amendment #3 (Torr), prevailed; Voice Vote
01/28/2008	H: Amendment #2 (Cherry), prevailed; Voice Vote
01/30/2008	H: 3rd Reading Pass (95-0)
01/30/2008	H: Sponsor Added Thomas J. Wyss
01/30/2008	H: 2nd Sponsor Added Karen Tallian
02/05/2008	S: 1st Reading Assigned Corrections, Criminal, and Civil Matters
02/19/2008	S: Committee Sched 9:00 AM Room 130 Corrections, Criminal, and Civil Matters

SB0004 Reduction of credit time for sex offenders. (Drozda, L. Lawson)
Position: O

Digest

Creates department of correction credit Class IV for felons convicted of certain serious child molesting offenses and certain murders involving sex offenses. Specifies that persons in credit Class IV earn one day of credit for each six days of incarceration. Provides that persons in credit Class IV may be placed in a credit class where they earn no credit, but may not be placed in a credit class where they earn more credit.

Date	Action
01/08/2008	S: Author Added Jeff Drozda

01/08/2008 **S: 1st Reading** Assigned Corrections, Criminal, and Civil Matters
 01/08/2008 **S: Co Author** Added Thomas K. Weatherwax
 01/22/2008 **S: Committee Sched** 8:30 AM Room 233 Corrections, Criminal, and Civil Matters
 01/22/2008 **S: Committee Action** Pass Amend(8-0) Corrections, Criminal, and Civil Matters
 01/23/2008 **S: Committee Sched** 1:00 PM Room 130 Corrections, Criminal, and Civil Matters
 01/24/2008 **S: Committee Report** amend do pass, adopted
 01/28/2008 **S: 2nd Reading** Order Engrossed
 01/29/2008 **S: 3rd Reading** Pass (48-0)
 01/29/2008 **S: Sponsor** Added Linda Lawson
 01/29/2008 **S: Co Sponsor** Added Ralph M. Foley
 01/29/2008 **S: Co Sponsor** Added John Ulmer
 01/29/2008 **S: Co Sponsor** Added George Philip Hoy
 01/30/2008 **H: 1st Reading** Assigned Courts and Criminal Code

SB0010 Inmate fraud. (Steele, L. Lawson)
 Position: O

Digest

Permits the department of correction to freeze all or a portion of an inmate's account while investigating whether the inmate has committed inmate fraud or while a criminal case involving inmate fraud is pending against the inmate. Requires the department to return money in the inmate's account to the rightful owner if the inmate is convicted, and specifies that the money will be deposited in the violent crime victims compensation fund if the rightful owner cannot be located. Makes it inmate fraud, a Class C felony, for an inmate to, with the intent of obtaining money or other property from a person who is not an inmate, knowingly or intentionally: (1) make a misrepresentation to a person who is not an inmate and obtain or attempt to obtain money or other property from the person who is not an inmate; or (2) obtain or attempt to obtain money or other property from the person who is not an inmate through a misrepresentation made by another person. Authorizes the disclosure of certain information to a person who is or may be the victim of inmate fraud.

Date	Action
01/08/2008	S: Author Added <u>Brent Steele</u>
01/08/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/15/2008	S: Committee Sched 9:00 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/15/2008	S: Committee Action Pass Amend(6-0) <u>Corrections, Criminal, and Civil Matters</u>
01/16/2008	S: Committee Report amend do pass, adopted
01/22/2008	S: 2nd Reading Order Engrossed
01/24/2008	S: 3rd Reading <u>Pass (48-0)</u>
01/24/2008	S: Sponsor Added <u>Linda Lawson</u>
01/24/2008	S: Co Sponsor Added <u>Ralph M. Foley</u>
01/30/2008	H: 1st Reading Assigned <u>Courts and Criminal Code</u>
02/06/2008	H: Committee Sched 1:30 PM Room 156 C <u>Courts and Criminal Code</u>
02/13/2008	H: Committee Sched 1:30 PM Room 156 C <u>Courts and Criminal Code</u>
02/13/2008	H: Committee Action Pass Amend(8-0) <u>Courts and Criminal Code</u>
02/14/2008	H: Committee Report amend do pass, adopted

SB0027 Cooling off period for domestic battery. (Arnold, L. Lawson)
 Position: O

Digest

Requires a facility having custody of a person arrested for a crime of domestic violence to keep the person in custody for at least eight hours from the time of the arrest, and prohibits a person arrested for a crime of domestic violence from being released on bail during the eight hour period.

Date	Action	
01/08/2008	S: Author	Added <u>Jim Arnold</u>
01/08/2008	S: 1st Reading	Assigned <u>Judiciary</u>
01/10/2008	S: 2nd Author	Added <u>Brent Steele</u>
01/10/2008	S: Co Author	Added <u>John E. Broden</u>
01/10/2008	S: Co Author	Added <u>Sue Errington</u>
01/23/2008	S: Committee Sched	9:00 AM Room 130 <u>Judiciary</u>
01/23/2008	S: Committee Action	<u>Pass Amend(8-1) Judiciary</u>
01/24/2008	S: Committee Report	amend do pass, adopted
01/24/2008	S: Co Author	Added <u>Teresa S. Lubbers</u>
01/24/2008	S: Co Author	Added <u>Joseph C. Zakas</u>
01/24/2008	S: Co Author	Added <u>Tim Lanane</u>
01/28/2008	S: 2nd Reading	Order Engrossed
01/29/2008	S: 3rd Reading	<u>Pass (48-0)</u>
01/29/2008	S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008	S: Co Sponsor	Added <u>Shelli VanDenburgh</u>
01/30/2008	H: 1st Reading	Assigned <u>Judiciary</u>
02/05/2008	H: Committee Sched	8:30 AM Room 156D <u>Judiciary</u>
02/05/2008	H: Committee Action	<u>Pass Amend(9-0) Judiciary</u>
02/12/2008	H: Co Sponsor	Added <u>Jacqueline Walorski</u>

SB0084 *Sex offender notification.* (Steele, L. Lawson)
Position: O

Digest

Provides that the failure of a sex or violent offender who moves to a new county to notify authorities in the previous county of residence of the move is a Class C infraction if the sex or violent offender has properly registered in the new county. Requires the local law enforcement authority in the new county to notify the local law enforcement authority in the previous county of the sex or violent offender's new location. Requires the local law enforcement authority in the previous county to forward relevant information to the local law enforcement authority in the new county. (The introduced version of this bill was prepared by the sentencing policy study committee.)

Date	Action	
01/08/2008	S: Author	Added <u>Brent Steele</u>
01/08/2008	S: 1st Reading	Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/15/2008	S: Committee Sched	9:00 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/15/2008	S: Committee Report	do pass, adopted
01/15/2008	S: Committee Action	<u>Pass(6-0) Corrections, Criminal, and Civil Matters</u>
01/22/2008	S: 2nd Reading	Order Engrossed
01/24/2008	S: 3rd Reading	<u>Pass (48-0)</u>
01/24/2008	S: Sponsor	Added <u>Linda Lawson</u>
01/24/2008	S: Co Sponsor	Added <u>Ralph M. Foley</u>
01/30/2008	H: 1st Reading	Assigned <u>Judiciary</u>
02/11/2008	H: Co Sponsor	Added <u>Phillip D. Hinkle</u>

SB0086 *Sex and violent offender registry.* (Steele, L. Lawson)
Position: S

Digest

Establishes a three tier system for sex offenders and requires offenders: (1) in Tier 3 to register for life; (2) in Tier 2 to register for 25 years; and (3) in Tier 1 to register for 15 years. Permits Tier 1 offenders to reduce their registration period by five years if they meet certain requirements, and establishes a judicial procedure to implement this reduction. Classifies persons convicted of Class A or Class B felonies violent

offenders if the difference between the person's release date and the person's post incarceration supervision is less than sixty (60) days due to facility rule violations, and provides that violent offenders are required to register for life. Requires the department of correction ("the department") to determine the appropriate classification and registration period for sex or violent offenders and establishes a judicial procedure to challenge the department's determination. Specifies that persons who commit criminal deviate conduct in a correctional facility are required to register as a sex or violent offender. Requires local law enforcement to notify schools, public housing agencies, and other organizations in each county a sex offender registers when the offender registers or updates a registration. Makes numerous changes to the sex and violent offender registration requirements. (The introduced version of this bill was prepared by the sentencing policy study committee.)

Date	Action
01/08/2008	S: Author Added Brent Steele
01/08/2008	S: 1st Reading Assigned Corrections, Criminal, and Civil Matters
01/15/2008	S: Committee Sched 9:00 AM Room 233 Corrections, Criminal, and Civil Matters
01/22/2008	S: Committee Sched 8:30 AM Room 233 Corrections, Criminal, and Civil Matters
01/22/2008	S: Committee Action Pass Amend(8-0) Corrections, Criminal, and Civil Matters
01/23/2008	S: Committee Sched 1:00 PM Room 130 Corrections, Criminal, and Civil Matters
01/24/2008	S: Committee Report amend do pass, adopted
01/28/2008	S: 2nd Reading Amended Order Engrossed
01/28/2008	S: Amendment #1 (Steele), prevailed; Voice Vote
01/28/2008	S: 2nd Author Added Mike Delph
01/29/2008	S: 3rd Reading Pass (47-1)
01/29/2008	S: Sponsor Added Linda Lawson
01/29/2008	S: Co Sponsor Added John Ulmer
02/04/2008	H: 1st Reading Assigned Judiciary
02/07/2008	H: Reassign Assigned Ways and Means

SB0090 *Operating while intoxicated offenses and procedures.* ([Alting](#), [Arnold](#), [L. Lawson](#))
Position: O

Digest

Specifies that felony resisting law enforcement and operating while intoxicated (OWI) causing serious bodily injury are crimes of violence. Makes: (1) OWI committed by a person with a previous conviction for OWI resulting in serious bodily injury a Class C felony; (2) OWI causing serious bodily injury a Class C felony; (3) OWI causing serious bodily injury committed by a person with a previous conviction for OWI a Class B felony; (4) OWI causing death a Class B felony; (5) OWI causing death committed by a person with a previous conviction a Class A felony; and (6) OWI causing death committed by a person with a blood alcohol level greater than .15% a Class A felony. Permits a court to require a license suspension imposed as the result of a conviction for operating while intoxicated to be imposed before or after, or both before and after, any period of incarceration. Makes leaving the scene of an accident after committing operating while intoxicated causing death or serious bodily injury a Class B felony.

Date	Action
01/08/2008	S: Author Added Ron Alting
01/08/2008	S: 1st Reading Assigned Corrections, Criminal, and Civil Matters
01/10/2008	S: 2nd Author Added Brent Steele
01/10/2008	S: Author Added Jim Arnold
01/22/2008	S: Committee Sched 8:30 AM Room 233 Corrections, Criminal, and Civil Matters
01/22/2008	S: Co Author Added R. Michael Young
01/22/2008	S: Committee Action Pass Amend(7-3) Corrections, Criminal, and Civil Matters
01/24/2008	S: Committee Report amend do pass, adopted
01/28/2008	S: 2nd Reading Order Engrossed

01/29/2008 S: 3rd Reading	Pass (33-15)
01/29/2008 S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008 S: Co Sponsor	Added <u>Sheila Klinker</u>
01/29/2008 S: Co Sponsor	Added <u>John Ulmer</u>
01/29/2008 S: Co Sponsor	Added <u>Eric Koch</u>
01/30/2008 H: 1st Reading	Assigned <u>Courts and Criminal Code</u>

SB0105 Paternity and child support. (Steele, L. Lawson)

Digest

Requires the department of child services (department) to: (1) implement a pilot program for establishing and enforcing paternity and child support; and (2) select counties to participate in the program. Requires the department to: (1) employ administrative law judges (ALJ); (2) serve notice of financial responsibility to an obligee and obligor concerning a child support obligation; (3) schedule a negotiation conference between the parties not more than 30 days after the department issues the notice; and (4) reschedule a negotiation conference. Requires an obligor and obligee to appear for or reschedule the negotiation conference. Requires the department to issue: (1) an order of child support if the parties stipulate to an agreement; (2) an order for genetic testing if the parties do not agree and the obligor contests paternity; (3) a temporary order of child support and request for an administrative hearing if the parties do not agree and there is an executed paternity affidavit or the results of a genetic test indicate at least a 99% probability that a man is the child's biological father; (4) a default order of child support if the obligor fails to appear for or reschedule a negotiation conference and there is an executed paternity affidavit or the results of a genetic test indicate at least a 99% probability that a man is the child's biological father; and (5) a default order of paternity and child support if the obligor fails to meet certain requirements. Allows: (1) the department to dismiss an action if the results of a genetic test do not indicate at least a 99% probability that a man is the child's biological father; and (2) the department, an obligor, or an obligee to request an administrative hearing if the department issues a default order. Requires an ALJ to: (1) determine the matter of paternity and child support de novo; and (2) include written findings and conclusions in the ALJ's order. Requires the department and an ALJ to determine a child support obligation by applying the child support guidelines. Allows: (1) an obligor or obligee to file a written request with the department for the review and adjustment of a child support order; and (2) a party to seek judicial review of an ALJ's order. Provides that a nonresident obligee is not required to appear at a negotiation conference or an administrative hearing. Requires: (1) the department to file orders and other documents with the clerk of a court; and (2) the clerk to stamp the date of receipt on a copy of an order and assign a cause number. Provides that: (1) an ALJ is subject to the rules adopted by the department; (2) an order filed by the department with the court has all the force, effect, and remedies of an order of the court; and (3) if a genetic test is requested after the execution of a paternity affidavit, the court shall order the test to be paid out of the county general fund or by the party who requested the test. Provides that if the parties stipulate to an agreement of a child support obligation at the negotiation conference, the department: (1) shall issue an order of child support and establish parenting time; and (2) may include an order of custody if the parties agree.

Date	Action
01/08/2008 S: Author	Added <u>David C. Long</u>
01/08/2008 S: 1st Reading	Assigned <u>Rules and Legislative Procedure</u>
01/14/2008 S: Committee Report	amended, reassigned <u>Corrections, Criminal, and Civil Matters</u>
01/14/2008 S: Author	Removed <u>David C. Long</u>
01/14/2008 S: Author	Added <u>Brent Steele</u>
01/22/2008 S: Committee Sched	8:30 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008 S: Committee Action	Pass Amend(9-0) <u>Corrections, Criminal, and Civil Matters</u>
01/24/2008 S: Committee Report	amend do pass, adopted
01/24/2008 S: 2nd Author	Added <u>R. Michael Young</u>

01/28/2008 S: 2nd Reading	Amended Order Engrossed
01/28/2008 S: Amendment	#1 (Steele), prevailed; Voice Vote
01/29/2008 S: 3rd Reading	Pass (48-0)
01/29/2008 S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008 S: Co Sponsor	Added <u>Matt Bell</u>
01/30/2008 H: 1st Reading	Assigned <u>Rules and Legislative Procedures</u>

SB0130 *Conversion by failure to return rented property.* (Arnold, L. Lawson)
Position: O

Digest

Makes it a Class D felony if a person knowingly or intentionally fails to return a leased motor vehicle or item of personal property after delivery or attempted delivery of a notice by certified mail. Permits a court to enter a judgment of conviction for a Class A misdemeanor if the motor vehicle or item of personal property is returned or recovered within 90 days.

Date	Action
01/08/2008 S: Author	Added <u>Jim Arnold</u>
01/08/2008 S: 1st Reading	Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/10/2008 S: 2nd Author	Added <u>Brent Steele</u>
01/14/2008 S: Committee Sched	90 Minutes after Adjournment Room 130 <u>Corrections, Criminal, and Civil Matters</u>
01/14/2008 S: Committee Action	Pass Amend(6-0) <u>Corrections, Criminal, and Civil Matters</u>
01/16/2008 S: Committee Report	amend do pass, adopted
01/22/2008 S: 2nd Reading	Order Engrossed
01/29/2008 S: 3rd Reading	Pass (48-0)
01/29/2008 S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008 S: Co Sponsor	Added <u>Ralph M. Foley</u>
01/30/2008 H: 1st Reading	Assigned <u>Courts and Criminal Code</u>
02/06/2008 H: Committee Sched	1:30 PM Room 156 C <u>Courts and Criminal Code</u>

SB0139 *Violation of probation and home detention.* (Bray, Foley)
Position: S

Digest

Specifies that a court may impose one or more sanctions on a probationer who violates the conditions of probation or home detention during the probationary period. Provides that an offender who is placed on home detention and who resides in a county adjacent to the county in which the sentencing court is located may be supervised by a community corrections program or probation department located in the county in which the sentencing court is located. Specifies that a probation department or community corrections program that supervises an offender on home detention is responsible for the expenses of the supervision.

Date	Action
01/08/2008 S: Author	Added <u>Richard D. Bray</u>
01/08/2008 S: 1st Reading	Assigned <u>Judiciary</u>
01/09/2008 S: Committee Sched	9:00 AM Room 431 <u>Judiciary</u>
01/10/2008 S: Committee Report	do pass, adopted
01/15/2008 S: 2nd Reading	Order Engrossed
01/17/2008 S: 3rd Reading	Pass (46-0)
01/17/2008 S: Sponsor	Added <u>Ralph M. Foley</u>
01/17/2008 S: Co Sponsor	Added <u>Linda Lawson</u>

01/30/2008 **H: 1st Reading** Assigned Judiciary
 02/05/2008 **H: Committee Sched** 8:30 AM Room 156D Judiciary
 02/05/2008 **H: Committee Report** amend do pass, adopted
 02/05/2008 **H: Committee Action** Pass Amend(7-0) Judiciary
 02/11/2008 **H: Co Sponsor** Added Phyllis J. Pond
 02/11/2008 **H: 3rd Reading** Pass (93-0)
 02/11/2008 **H: Ret 1st House** Amendments

SB0171 Crimes against persons with a disability. (Lanane, Porter)
 Position: O

Digest

Makes committing an offense against a person with a disability an aggravating circumstance for sentencing purposes if the defendant knew or should have known that the victim was a person with a disability.

Date	Action
01/08/2008	S: Author Added <u>Tim Lanane</u>
01/08/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008	S: Committee Sched 8:30 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008	S: Co Author Added <u>Joseph C. Zakas</u>
01/22/2008	S: 2nd Author Added <u>Jeff Drozda</u>
01/22/2008	S: Co Author Added <u>Brent Steele</u>
01/22/2008	S: Committee Action <u>Pass Amend(8-0) Corrections, Criminal, and Civil Matters</u>
01/24/2008	S: Committee Report amend do pass, adopted
01/28/2008	S: 2nd Reading Order Engrossed
01/28/2008	S: Co Author Added <u>Thomas J. Wyss</u>
01/29/2008	S: 3rd Reading <u>Pass (48-0)</u>
01/29/2008	S: Sponsor Added <u>Gregory W. Porter</u>
01/29/2008	S: Co Sponsor Added <u>Linda Lawson</u>
01/29/2008	S: Co Sponsor Added <u>Eric Koch</u>
01/30/2008	H: 1st Reading Assigned <u>Judiciary</u>
02/19/2008	H: Committee Sched 8:30 AM Room 156 D <u>Judiciary</u>

SB0180 Child abduction and seduction. (Lubbers, L. Lawson)
 Position: O

Digest

Provides that a person who is at least 18 years of age commits child seduction if: (1) the person not a student attending the school but is affiliated with a school corporation, charter school, or nonpublic school; (2) the person engages in sexual conduct with a student who attends the school; and (3) the student is at least 16 and less than 18 years of age. Makes interference with custody rights: (1) a Class C felony if it is committed by removing a child to a location outside Indiana or failing to return a child to Indiana; and (2) a Class B felony if the child is removed to another country or if the person fails to return the child from another country.

Date	Action
01/08/2008	S: Author Added <u>Teresa S. Lubbers</u>
01/08/2008	S: 1st Reading Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008	S: Committee Sched 8:30 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008	S: Committee Action <u>Pass Amend(7-0) Corrections, Criminal, and Civil Matters</u>
01/24/2008	S: Committee Report amend do pass, adopted
01/28/2008	S: 2nd Reading Order Engrossed
01/28/2008	S: Co Author Added <u>Joseph C. Zakas</u>

01/28/2008 S: Co Author	Added <u>Thomas J. Wyss</u>
01/29/2008 S: Co Author	Added <u>John E. Broden</u>
01/29/2008 S: 3rd Reading	<u>Pass (37-10)</u>
01/29/2008 S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008 S: Co Sponsor	Added <u>Ralph M. Foley</u>
01/30/2008 H: 1st Reading	Assigned <u>Courts and Criminal Code</u>

SB0184 Use of DNA evidence. (Zakas, L. Lawson)
Position: O

Digest

Permits, subject to Combined DNA Index System (CODIS) guidelines, the superintendent of the state police department to authorize the investigation of a person genetically related to an individual whose DNA profile is stored in the DNA data base if the results of a DNA test conducted on a DNA sample as part of a criminal investigation do not show an exact match between the DNA sample and the DNA profile stored in the data base but do show that the DNA sample matches the DNA profile stored in the data base so closely as to suggest that a person genetically related to the individual whose DNA profile is stored in the data base may be a suspect.

<u>Date</u>	<u>Action</u>
01/08/2008 S: Author	Added <u>Joseph C. Zakas</u>
01/08/2008 S: 1st Reading	Assigned <u>Judiciary</u>
01/16/2008 S: Committee Sched	9:00 AM Room 431 <u>Judiciary</u>
01/16/2008 S: Committee Action	<u>Pass Amend(8-0) Judiciary</u>
01/17/2008 S: Committee Report	amend do pass, adopted
01/17/2008 S: 2nd Author	Added <u>Jim Arnold</u>
01/17/2008 S: Co Author	Added <u>Richard D. Bray</u>
01/17/2008 S: Co Author	Added <u>Teresa S. Lubbers</u>
01/17/2008 S: Co Author	Added <u>Samuel Smith</u>
01/17/2008 S: Co Author	Added <u>Jeff Drozda</u>
01/17/2008 S: Co Author	Added <u>Brent Steele</u>
01/17/2008 S: Co Author	Added <u>John E. Broden</u>
01/22/2008 S: 2nd Reading	Amended Order Engrossed
01/22/2008 S: Amendment	#1 (Zakas), prevailed; Voice Vote
01/29/2008 S: 3rd Reading	<u>Pass (48-0)</u>
01/29/2008 S: Sponsor	Added <u>Linda Lawson</u>
01/29/2008 S: Co Sponsor	Added <u>Eric Koch</u>
01/29/2008 S: Co Sponsor	Added <u>Trent Van Haaften</u>
01/29/2008 S: Co Author	Added <u>James W. Merritt, Jr.</u>
01/30/2008 H: 1st Reading	Assigned <u>Judiciary</u>
02/05/2008 H: Committee Sched	8:30 AM Room 156D <u>Judiciary</u>
02/05/2008 H: Committee Action	<u>Pass(8-0) Judiciary</u>

SB0199 Environmental crimes. (Bray, Gard, Tallian, Dvorak)
Position: O

Digest

Repeals environmental crimes statutes, and substitutes a statute that: (1) designates environmental violations as crimes; (2) establishes more severe penalties if the violation results in substantial harm to the environment or loss of human life; (3) establishes factors to be considered in sentencing; (4) establishes maximum and minimum fines; and (5) provides that the crimes are not subject to imprisonment. Extends the environmental crimes task force for one year.

<u>Date</u>	<u>Action</u>
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01/08/2008 **S: Author** Added Richard D. Bray
 01/08/2008 **S: Author** Added Beverly J. Gard
 01/08/2008 **S: 1st Reading** Assigned Energy and Environmental Affairs
 01/14/2008 **S: Committee Sched** 9:30 AM Room 233 Energy and Environmental Affairs
 01/15/2008 **S: Committee Sched** Upon Adjournment Room 233 Energy and Environmental Affairs
 01/15/2008 **S: Committee Action** Pass Amend(5-1) Energy and Environmental Affairs
 01/16/2008 **S: Committee Report** amend do pass, adopted
 01/24/2008 **S: 2nd Reading** Amended Order Engrossed
 01/24/2008 **S: Amendment** #1 (Bray), prevailed; Voice Vote
 01/28/2008 **S: Author** Added Karen Tallian
 01/29/2008 **S: 3rd Reading** Pass (44-4)
 01/29/2008 **S: Sponsor** Added Ryan Dvorak
 01/29/2008 **S: Co Sponsor** Added David Alan Wolkins
 01/30/2008 **H: 1st Reading** Assigned Environmental Affairs

SB0258 Discharge of long term inmates. (Waterman, V. Smith)

Digest

Requires the department of correction to provide for an automatic, one time review of the sentence of a long time inmate who has not been convicted of a violent offense to determine whether the inmate has been rehabilitated and has suitable plans that would warrant discharge from custody. Requires an inmate released by the department to be placed on parole.

Date	Action
01/10/2008 S: Author	Added <u>John M. Waterman</u>
01/10/2008 S: 1st Reading	Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008 S: Committee Sched	8:30 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008 S: Committee Action	<u>Pass Amend(5-4) Corrections, Criminal, and Civil Matters</u>
01/24/2008 S: Committee Report	amend do pass, adopted
01/28/2008 S: 2nd Author	Added <u>Vi Simpson</u>
01/28/2008 S: Co Author	Added <u>Earline S. Rogers</u>
01/28/2008 S: 2nd Reading	Order Engrossed
01/29/2008 S: 3rd Reading	<u>Pass (47-1)</u>
01/29/2008 S: Sponsor	Added <u>Vernon G. Smith</u>
01/29/2008 S: Co Sponsor	Added <u>Bruce Borders</u>
02/11/2008 H: 1st Reading	Assigned <u>Judiciary</u>
02/19/2008 H: Committee Sched	8:30 AM Room 156 D <u>Judiciary</u>

SB0304 Arrest records. (Steele, VanHaaften)
Position: S

Digest

Allows a sentencing court to prohibit the disclosure to a noncriminal justice organization or individual of records relating to a person's arrest if the person is acquitted of all criminal charges or the person's conviction is vacated.

Date	Action
01/10/2008 S: Author	Added <u>Brent Steele</u>
01/10/2008 S: 1st Reading	Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/14/2008 S: Committee Sched	90 Minutes after Adjournment Room 130 <u>Corrections, Criminal, and Civil Matters</u>
01/15/2008 S: Committee Action	<u>Pass Amend(6-0) Corrections, Criminal, and Civil Matters</u>
01/16/2008 S: Committee Report	amend do pass, adopted

01/22/2008 S: 2nd Reading	Order Engrossed
01/24/2008 S: Co Author	Added <u>Jean Breaux</u>
01/28/2008 S: Co Author	Added <u>Karen Tallian</u>
01/28/2008 S: 2nd Author	Added <u>Mike Delph</u>
01/29/2008 S: 3rd Reading	<u>Pass (48-0)</u>
01/29/2008 S: Sponsor	Added <u>Trent Van Haaften</u>
01/29/2008 S: Co Sponsor	Added <u>Peggy Welch</u>
01/29/2008 S: Co Sponsor	Added <u>Eric Koch</u>
01/29/2008 S: Co Author	Added <u>John E. Broden</u>
02/04/2008 H: 1st Reading	Assigned <u>Judiciary</u>

SB0317 *Bail.* (Waterman, Pflum)
Position: O

Digest

Makes changes to the Indiana bail law concerning: (1) credit card service fee payments; (2) notices to sureties and bond agents; (3) circumstances under which a cause is determined; (4) failure to appear; and (5) substitution of bail for deposits. Specifies that a court may require a defendant admitted to bail to execute a bail bond written by an insurer (instead of being executed with sufficient solvent sureties). Removes a provision that allows a court to admit a defendant to bail by requiring the defendant to post a real estate bond. Provides that if a person charged with a felony under IC 35-42 (offenses against the person) is admitted to bail, the person: (1) shall be admitted to bail by executing a bail bond written by an insurer, depositing cash or securities in an amount equal to the bail, or executing a bond secured by certain real estate; and (2) may not be admitted to bail by executing a bail bond by depositing cash or securities in an amount not less than 10% of the bail.

Date	Action
01/10/2008 S: Author	Added <u>John M. Waterman</u>
01/10/2008 S: 1st Reading	Assigned <u>Judiciary</u>
01/10/2008 S: Reassign	Assigned <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008 S: Committee Sched	8:30 AM Room 233 <u>Corrections, Criminal, and Civil Matters</u>
01/22/2008 S: Committee Action	<u>Pass Amend(9-1) Corrections, Criminal, and Civil Matters</u>
01/24/2008 S: Committee Report	amend do pass, adopted
01/28/2008 S: 2nd Author	Added <u>Brent Steele</u>
01/28/2008 S: 2nd Reading	Order Engrossed
01/29/2008 S: 3rd Reading	<u>Pass (45-3)</u>
01/29/2008 S: Sponsor	Added <u>Phillip Pflum</u>
01/29/2008 S: Co Sponsor	Added <u>Eric Koch</u>
02/11/2008 H: 1st Reading	Assigned <u>Judiciary</u>

SB0335 *Illegal alien matters.* (Kruse, Delph, Boots, Tincher)
Position: O

Digest

Requires the superintendent of the state police department (superintendent) to: (1) negotiate terms of a memorandum of understanding (memorandum) concerning a pilot project for the enforcement of federal immigration and customs laws; and (2) designate appropriate law enforcement officers to be trained under the memorandum. Requires: (1) the superintendent and governor, unless otherwise required by the applicable federal agency, to sign the memorandum on behalf of the state; and (2) the state police department to apply for federal funding, as available, for the costs associated with the training. Provides that a law enforcement officer certified as trained may enforce the federal immigration and customs laws. Prohibits an employer from knowingly hiring, after September 30, 2009, an unauthorized alien. Exempts certain utilities, hospitals, nonprofit organizations, and certain emergency medical transporters from this

provision. Subject to availability of funds, authorizes the attorney general to: (1) investigate a complaint that an employer knowingly employed an unauthorized alien; (2) verify the work authorization of the alleged unauthorized alien with the federal government; (3) notify United States Immigration and Customs Enforcement, local law enforcement agencies, and the appropriate prosecuting attorney under certain conditions; and (4) maintain certain records of violation orders. Authorizes a prosecuting attorney to file a civil action against an employer for knowingly hiring an unauthorized alien in the county where the alien is employed. Authorizes a court to: (1) hold a hearing on an expedited basis; (2) if an employer knowingly employs an unauthorized alien, order the employer to terminate the employment of unauthorized aliens, order the employer to file a sworn affidavit, and place the employer on probation for three years; and (3) order agencies to suspend all licenses held by the employer for the operation of the business location until the affidavit is filed, if the employer fails to file a sworn affidavit. Provides that a court may: (1) suspend the licenses of an employer for a second violation not later than 10 years after the date of the initial violation; and (2) revoke all licenses of the employer for a third violation not later than 10 years after the initial violation. Provides that a trier of fact may consider only the federal government's verification or status information in determining whether an individual is an unauthorized alien. Prohibits a prosecuting attorney from filing an action against an employer that verifies the employment authorization of an employed individual through the pilot program. Establishes an affirmative defense if the employer complied in good faith with the federal employment verification requirements. Makes it a Class B misdemeanor to file complaint, knowing the complaint is false or frivolous, with the attorney general or a prosecuting attorney. Provides that the suspension or revocation of a license does not relieve an employer from an obligation to withhold, collect, or pay income tax on wages. Prohibits a governmental body from enacting an ordinance, resolution, rule, or policy that prohibits or limits another governmental body from sending, receiving, maintaining, or exchanging information on the citizenship or immigration status of an individual. Allows a person to bring an action to compel a governmental body to comply with the prohibition. Prohibits a state agency or political subdivision from entering into or renewing a public contract for services with a contractor if the state agency or political subdivision knows that the contractor employs or contracts with unauthorized aliens. Provides that: (1) a state agency or political subdivision may terminate a public contract for services if the contractor providing the services employs or contracts with unauthorized aliens unless the state or political subdivision determines that terminating the contract would be detrimental to the public interest or public property; and (2) if a public contract for services is terminated, a contractor is liable for actual damages. Allows a contractor of a public contract for services to terminate a contract with a subcontractor if the subcontractor employs or contracts with unauthorized aliens. Makes it a: (1) Class A misdemeanor to transport or move; and (2) Class A misdemeanor to conceal, harbor, or shield from detection; an alien, for purposes of commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law. Exempts from these criminal provisions, certain religious, health care, and legal services providers, and spouses from the criminal provisions. Makes these offenses a Class D felony (Class C felony for subsequent offenses): (1) for a subsequent offense; or (2) if the offense involves more than five aliens. Requires the department of workforce development to verify the lawful presence of certain individuals to determine the individual's eligibility for unemployment benefits through the SAVE program.

Date	Action
01/10/2008	S: Author Added Dennis K. Kruse
01/10/2008	S: Author Added Mike Delph
01/10/2008	S: Author Added Phil Boots
01/10/2008	S: Co Author Added John M. Waterman
01/10/2008	S: Co Author Added R. Michael Young
01/10/2008	S: Co Author Added Brent Steele
01/10/2008	S: Co Author Added Brent Waltz
01/10/2008	S: 1st Reading Assigned Pensions and Labor

01/10/2008 S: 2nd Author	Removed Phil Boots
01/10/2008 S: 2nd Author	Added Vi Simpson
01/10/2008 S: Co Author	Added Vaneta Becker
01/10/2008 S: Co Author	Added Richard D. Bray
01/10/2008 S: Co Author	Added Beverly J. Gard
01/10/2008 S: Co Author	Added Jeff Drozda
01/10/2008 S: Co Author	Added Phil Boots
01/10/2008 S: Co Author	Added Greg Walker
01/10/2008 S: Co Author	Added Jim Arnold
01/10/2008 S: Co Author	Added Edward E. Charbonneau
01/16/2008 S: Committee Sched	9:00 AM Room Senate Chamber Pensions and Labor
01/17/2008 S: Co Author	Added Howard "Luke" Kenley
01/17/2008 S: Co Author	Added Thomas K. Weatherwax
01/17/2008 S: Co Author	Added Ron Alting
01/17/2008 S: Co Author	Added Timothy D. Skinner
01/17/2008 S: Co Author	Added Brandt Hershman
01/17/2008 S: Co Author	Added David C. Long
01/17/2008 S: Co Author	Added Allen E. Paul
01/17/2008 S: Co Author	Added Robert N. Jackman, D.V.M
01/23/2008 S: Committee Sched	9:00 AM Room Senate Chamber Pensions and Labor
01/23/2008 S: Committee Action	Pass Amend(11-0) Pensions and Labor
01/24/2008 S: Committee Report	amend do pass, adopted
01/24/2008 S: Co Author	Added Patricia L. Miller
01/24/2008 S: Co Author	Added Ryan D. Mishler
01/24/2008 S: Co Author	Removed Greg Walker
01/28/2008 S: Co Author	Added Sue Landske
01/28/2008 S: 2nd Author	Removed Vi Simpson
01/28/2008 S: Co Author	Removed Phil Boots
01/28/2008 S: 2nd Author	Added Phil Boots
01/28/2008 S: 2nd Reading	Amended Order Engrossed
01/28/2008 S: Amendment	#1 (Delph), prevailed; Voice Vote
01/28/2008 S: Amendment	#3 (Dillon), failed;
01/29/2008 S: 3rd Reading	Pass (37-11)
01/29/2008 S: Sponsor	Added Vern Tincher
01/29/2008 S: Co Sponsor	Added Woody Burton
01/29/2008 S: Co Sponsor	Added P. Eric Turner
01/29/2008 S: Co Sponsor	Added Cindy Noe
01/29/2008 S: Co Sponsor	Added Eric Koch
02/11/2008 H: 1st Reading	Assigned Public Policy
02/13/2008 H: Committee Sched	9:00 AM Room House Chamber Public Policy
02/18/2008 H: Committee Sched	10:00 AM Room House Chamber Public Policy